

C & D SCOTT FARMS, LLC
Stanfield, OR

March 26, 2021

To Whom it May Concern:

My name is Debbie Scott and I farm in Umatilla county. I grow/raise cattle and harvest Alfalfa, Triticale and Corn and employ as many as 12 employees during harvest, many of whom come back to my farm year after year. I want to share with you my concerns about the real impact of HB 2358 on both my farm and my employees, which is scheduled for a public hearing in the House Business and Labor Committee on March 29th.

HB 2358 would require every farm and ranch in Oregon to pay overtime to employees after 40 hours of work, with no exceptions or consideration of peak season. This is the most aggressive overtime policy in the country, which would be devastating for local farmers and our employees.

Agriculture is experiencing a serious workforce shortage, and I already do a lot to compensate my employees for their hard work. For example, we pay for an accident policy and during harvest we provide meals. We also allow employees to take paid time off in exchange of overtime hours reducing their need to go on unemployment or seek other employment.

As you may know harvesting crops is time sensitive meaning harvesting at the correct time is imperative to get the highest quality from the crop and to get the highest return on investment of money and time. Many factors beyond our control regulate the timing of harvest and the pressure to harvest quickly. Unfortunately, we have no control over the weather or equipment breakdown and many times we have to work longer than expected due to rain, lack of, wind or equipment repairs.

I want to do everything I can to keep my employees happy and coming back to my farm, but as a farmer, I am a price taker. This means that I cannot simply increase the sale price of my crops to account for added labor costs. Consumers and the federal government set our prices as most of our customers are dairies or feeding operations. I will have to absorb any added overhead. That is the economic reality I deal with every day.

I will not be able to afford the added payroll costs proposed in HB 2358, as it will likely cost me an additional \$100,000 in new labor costs. To stay in business, I will be forced to limit the number of hours worked by my employees to 40 hours in a

week to avoid the added expense of overtime pay. I do not want to do this, and my employees do not want me to do this, but that is the practical reality of this bill.

We will have a higher turnover rate which will increase our training cost and as it is, we must force our employees to take a mandatory lunch as they prefer to work thru lunch and finish the projects they are working on at times. Especially if repairing equipment or harvesting.

We will have to mechanize operations even more, or even move outside of Oregon to stay in business. Farm employees are at risk of losing their jobs if downsizing, or mechanizing are the only options available to a farm or ranch. If this bill passes, I will need to reduce the number of acres harvested or purchase equipment that will harvest more at one time eliminating duplicate pieces of equipment to stay in business. Bigger trailers and attachments will put higher load on the horsepower to operate the equipment and increase diesel fuel consumption resulting in a higher pollution rate.

As a family business, we cannot operate at a loss year-over-year, so we must control costs that seem to increase every year in Oregon. I know it is not the goal of this bill to reduce employee take-home pay, but HB 2358 demands wages that are not possible with the economics of agriculture and will result in reduced pay and hours for farm employees.

I believe you will also see those that prefer to stay busy finding secondary jobs which is likely to increase fatigue and raise the risk of injury on the job. I cannot afford to pay overtime for those that choose to work 2 jobs either and that is not fair for the employers. We continue to pay workers at least \$2 an hour over minimum wage and we will be forced to reduce that as well to contain cost.

I am genuinely concerned that this policy has not been well-vetted and will actually harm those it intends to help. Those who want this bill have not even done an analysis of how much this will cost!

Please oppose HB 2358 this session. This bill will negatively impact not only family farmers and ranchers in Oregon, but also agricultural workers!

Sincerely,

A handwritten signature in cursive script that reads "Debbie Scott". The signature is written in black ink and is positioned below the word "Sincerely,".

Debbie Scott